



Docket No.: PF-0683 USN

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 4, 2003.  
By: Lyza Finuliar Printed: Lyza Finuliar

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Bandman et al.

Title: REGULATORS OF INTRACELLULAR PHOSPHORYLATION

Serial No.: 09/937,060 Filing Date: April 15, 2002

Examiner: Prouty, R. Group Art Unit: 1652

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit that reference 1 of the cited documents is a voluminous foreign patent publication which would be burdensome both for Applicants to print and mail, and for the USPTO to receive, store and handle. Therefore, in the interest of reducing the burden on both Applicants and the USPTO, Applicants submit herewith two (2) CD-R disks containing an Adobe Acrobat (.pdf) file downloaded from Micropat containing the entirety of the cited U.S. and foreign applications. In addition, it is noted that Examiner Cecilia Tsang of TC 1600 assured Diana Hamlet-Cox of Incyte Corporation, that the USPTO has electronic access to published PCT applications (see M.P.E.P. § 901.05(c)), so additional paper copies of such references would be duplicative.

Reference 1 is listed below and comprises the indicated number of pages.

<u>Foreign Patent Document</u>	<u>No. Pages</u>
WO 98/39446	457 pages

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Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Please charge Deposit Account No. 09-0108 the \$180.00 processing fee for the Information Disclosure Statement under 37 C.F.R. §1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 09-0108.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

Respectfully submitted,

INCYTE CORPORATION

Date: Dec 4, 2003

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U.S. Department of Commerce, Patent and Trademark Office				Atty Docket No.		Serial No.		
				PF-0683 USN		09/937,060		
LIST OF REFERENCES CITED BY APPLICANTS				Applicant(s)				
(Use several sheets if necessary)				Bandman et al.				
				Filing Date		Group		
				April 15, 2002		1652		
U.S. Patent Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
Foreign Patent Documents								
							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	1	WO 98/39446	09/11/98	PCT				
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	2	Tanoue, T. et al., "Molecular Cloning and Characterization of a Novel Dual Specificity Phosphatase, MKP-5", <u>Journal Biological Chemistry</u> , 274(28):19949-19956 (1999)						
	3	Kohama, T. et al., "Molecular Cloning and Functional Characterization of Murine Sphingosine Kinase", <u>Journal Biological Chemistry</u> , 273(37):23722-23728 (1998)						
	4	Nava, V. E. et al., "Functional characterization of human sphingosine kinase-1", <u>FEBS Letters</u> , 473:81-84 (2000)						
	5	Labesse, G. et al., "Diacylglyceride kinases, sphingosine kinases and NAD kinases: distant relatives of 6-phosphofructokinases", <u>TRENDS in Biochemical Sciences</u> , 27(6):273-275 (2002)						
	6	Kohama, T. et al., (GI 3659694) Genbank Sequence Database (Accession AAC61698), National Center for Biotechnology Information: National Library Of Medicine, Bethesda, Maryland 20849 (May 26, 1998)						
	7	Nava, V. E. et al., (GI 8132867) Genbank Sequence Database (Accession AF238083), National Center for Biotechnology Information: National Library Of Medicine, Bethesda, Maryland 20849 (February 23, 2000)						
Examiner			Date Considered					
<p><b>*EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p>								